

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RAGHBIR SINGH,	)	
	)	
Petitioner,	)	No. C 08-1281 CRB (PR)
	)	
vs.	)	ORDER TO SHOW CAUSE
	)	
BEN CURRY, Warden,	)	
	)	
Respondent.	)	
_____	)	

Petitioner, a state prisoner incarcerated at the Correctional Training Facility in Soledad, California, has filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2254 challenging the California Board of Parole Hearings' ("BPH") August 29, 2006 decision to deny him parole.

**BACKGROUND**

In 1987, petitioner was convicted of second degree murder in the Superior Court of the State of California in and for the County of Fresno and sentenced to an indeterminate term of 15 years to life with the possibility of parole.

Petitioner was denied parole until August 5, 2004, at which time the BPH finally found him suitable for parole and granted him a parole date. Shortly thereafter, the governor reversed the BPH's decision, however.



1 which cannot be denied without adequate procedural due process protections).  
2 Biggs v. Terhune, 334 F.3d 910, 914-15 (9th Cir. 2003) (same).

3 **CONCLUSION**

4 For the foregoing reasons and for good cause shown,

5 1. The clerk shall serve by certified mail a copy of this order and the  
6 petition and all attachments thereto on respondent and respondent's attorney, the  
7 Attorney General of the State of California. The clerk also shall serve a copy of  
8 this order on petitioner.

9 2. Respondent shall file with the court and serve on petitioner, within  
10 60 days of the issuance of this order, an answer conforming in all respects to Rule  
11 5 of the Rules Governing Section 2254 Cases, showing cause why a writ of  
12 habeas corpus should not be issued. Respondent shall file with the answer and  
13 serve on petitioner a copy of all portions of the state trial record that have been  
14 transcribed previously and that are relevant to a determination of the issues  
15 presented by the petition.

16 3. If petitioner wishes to respond to the answer, he shall do so by  
17 filing a traverse with the court and serving it on respondent within 30 days of his  
18 receipt of the answer.

19 SO ORDERED.

20 DATED: July 21, 2008

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22 \_\_\_\_\_  
23 CHARLES R. BREYER  
24 United States District Judge  
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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

RAGHBIR SINGH,

Plaintiff,

v.

B. CURRY et al,

Defendant.

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Case Number: CV08-01281 CRB

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 21, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

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CTF-Soledad  
CW-308-L  
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Attorney General's Office  
455 Golden Gate Avenue  
Ste 11000  
San Francisco, CA 94102

Dated: July 21, 2008

Richard W. Wieking, Clerk  
By: Barbara Espinoza, Deputy Clerk